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PATENT & TRADEMARK OFFICE
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Our Case No. 11127/6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Barbara Imperiali et al.

Serial No. 10/681,427

Filing: October 8, 2003

Title: FLUORESCENCE ASSAY FOR KINASE ACTIVITY

Examiner: Zinna Northington Davis

Group Art Unit: 1625

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF BARBARA IMPERIALI, MELISSA D. SHULTS, DIERDRE A. PEARCE

We declare as follows:

1. Barbara Imperiali and Melissa D. Shults are co-inventors of the subject matter claimed in the above-identified U.S. Patent Application.

2. Barbara Imperiali is a professor of chemistry at The Massachusetts Institute of Technology. As a professor and principal investigator for a research laboratory, Barbara Imperiali works in a variety of areas including the areas of bioprobe and protein design. Melissa D. Shults, was a graduate student working in Barbara Imperiali's laboratory at the time of this invention. Dierdre A. Pearce was a post-doctoral fellow working in Barbara Imperiali's laboratory at the time of this invention.

3. The journal publication "Modular and Tunable Chemosensor Scaffold for Divalent Zinc" (*J. Am. Chem. Soc.* **2003**, *125*, 10591-10597) was co-authored by all of us. This article includes work performed under Barbara Imperiali's direction by Dierdre A. Pearce.

4. The contribution of Dierdre A. Pearce to the content of this publication included early work on the synthesis of the SOX compound, referred to at page 10952, column 1, line 34 of this publication. Although Dierdre A. Pearce synthesized the SOX compound, the directions to do so were given by Barbara Imperiali and the synthesis was carried out using known synthetic transformations. Furthermore, Dierdre A. Pearce prepared and characterized peptide sequences that employed the SOX compound for Zinc sensing.

5. We declare that all statements made of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above applications or any patent granted therein.

Barbara Imperiali	11/8/04 Date
Melissa D. Shults	11/8/04 Date
Dierdre A. Pearce	3/11/04. Date